



Docket No.: B1136.70000US03
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Edward P. Ingenito
Serial No.: 10/069,307
Confirmation No.: 1962
Filed: September 26, 2002
For: TISSUE VOLUME REDUCTION
Examiner: C. S. Williams
Art Unit: 3763

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 8/16/07 Signature: Trish McDonald (Trish McDonald)

INFORMATION DISCLOSURE STATEMENT (IDS)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination under 37 CFR 1.114 (37 CFR 1.97(b)(4)).

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

The Applicant would like to bring to the Examiner's attention the enclosed search report or other communication from a corresponding International or Foreign National Application.

Serial No.	Mailing Date	Type(s) of Communication	Docket No.
PCT/US00/23134	02/27/2001	International Search Report	B1136.70000WO00
PCT/US00/23134	08/02/2001	Written Opinion	B1136.70000WO00
PCT/US00/23134	10/25/2001	International Preliminary Examination Report	B1136.70000WO00
EP 04024842	03/03/2005	Partial European Search Report	B1136.70000EP01

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 23/2825, under Docket No. B1136.70000US03. A duplicate copy of this paper is enclosed.

Dated: August 16, 2007

Respectfully submitted,

By Pat R.H. Waller

Patrick R.H. Waller

Registration No.: 41,418

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Used in Lieu of PTO/SB/08A/B
(Based on PTO 04-07 version)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/069,307-Conf. #1962
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				First Named Inventor	Edward P. Ingenito
				Art Unit	3763
				Examiner Name	C. S. Williams
Sheet	1	of	4	Attorney Docket Number	B1136.70000US03

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	US-20030099601-A1	05-29-2003	Gordon et al.	
	A2	US-20030114384-A1	06-19-2003	Podolsky	
	A3	US-20030134810-A1	07-17-2003	Springate et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ³
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	B1	EP-0627266	12-07-1994	Aid Medic Ltd		
	B2	EP-1206276	05-22-2002	Ingenito Edward P		
	B3	RU-2092108	10-10-1997	Vecherko Vladimir Nikolaevich et al.		✓

Examiner Signature		Date Considered	
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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/069,307-Conf. #1962
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				Art Unit	3763
				Examiner Name	C. S. Williams
Sheet	2	of	4	Attorney Docket Number	B1136.70000US03

	B4	RU-2130946	05-27-1999	Ehmakjur Biotek Ink		√
	B5	WO-0113908	03-01-2001	Ingenito Edward P		
	B6	WO-0126721	04-19-2001	Univ Boston et al.		
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NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	C1	[No Author Listed] Surfactant replacement therapy for respiratory distress syndrome. American Academy of Pediatrics. Committee on Fetus and Newborn. Pediatrics. 1999 Mar;103(3):684-5.		
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ** CITE NO.: Those document(s) which are marked with an double asterisk (**) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120. ¹ Applicant's unique citation-designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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